

Message

From: Ohl, Matthew [ohl.matthew@epa.gov]
Sent: 9/5/2018 6:12:16 PM
To: wdelong@zionsville-in.gov; mlathrop@zionsville-in.gov
CC: Douglas Petroff [DPetroff@idem.IN.gov]; Krueger, Thomas [krueger.thomas@epa.gov]; Esq. Norm Bernstein [nwbernstein@nwblc.com]; Peter Racher [pracher@psrb.com]
Subject: Third Site, Zionsville, Indiana - Electrical System
Attachments: Consent Order Amendment 12-12-16.pdf; Enforcement Action Memorandum 12 12 2016.pdf

Good afternoon:

I appreciate your efforts to assist the contractors working for the Potentially Responsible Parties as they clean up the Third Site in Zionsville, Indiana. I understand that the contractors contacted your office in July 2018 when they were seeking to establish electrical service for a new Electrical Resistance Heating (ERH) treatment system at the site.

As we are reviewing the project schedule, the contractors have advised that a permitting process with the Indiana Department of Homeland Security may be delaying the operation of the treatment system. Please see the attached Amended Enforcement Action Memorandum and First Amendment to the Administrative Order By Consent, authorizing the ERH treatment system as part of a removal action pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, otherwise known as Superfund or CERCLA.

CERCLA 122(e)(1) states: "No Federal, State, or local permit shall be required for the portion of any removal or remedial action conducted entirely onsite, where such remedial action is selected and carried out in compliance with this section." Therefore, permits are not required for this action. However, contractors would try to meet substantive requirements of the permitting program that have been identified.

Thank you for your assistance and please contact me with any questions you may have in this matter.

Sincerely,

Matthew J. Ohl
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